

FILED

JUN 30 2006

CLERK, U.S. DISTRICT COURT
By _____ DeputyIN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISIONWICHITA FALLS POWER
MANAGEMENT, L.L.C.

Plaintiff

Civil Action No. 2-05CV-118-J

v.

INTEL CORPORATION and
MICROSOFT CORPORATION

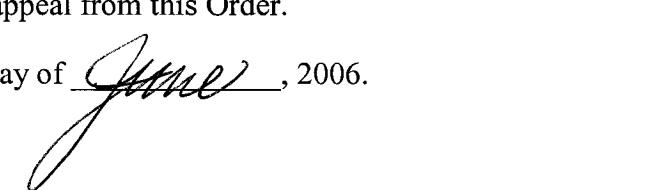
Defendants

STIPULATED ORDER OF DISMISSAL WITH PREJUDICE

Wichita Falls Power Management, L.L.C. ("WFPM") and Microsoft Corporation ("Microsoft") through their respective counsel, move to dismiss this action with prejudice.

IT IS THEREFORE ORDERED AND ADJUDGED:

1. This Court has jurisdiction over parties and the subject matter of this action.
2. All claims by the Plaintiff, WFPM, directed to Defendant Microsoft are dismissed with prejudice.
3. There shall be no accounting or award of damages and all costs shall be borne by the party incurring such costs.
4. This Order is binding upon, and constitutes *res judicata* between, the parties, their successors, and assigns.
5. The parties waive all rights to appeal from this Order.
6. So ORDERED on this 30 day of June, 2006.



UNITED STATES DISTRICT JUDGE

AGREED: JUNE 27, 2006

By: /s/ Richard Urquhart
Thomas H. Cook, Jr.
State Bar No. 00783869
Richard G. Urquhart
Texas Bar No. 00792887
**ZELLE, HOFMANN, VOELBEL, MASON & GETTE,
L.L.P.**
1201 Main Street, Suite 3000
Dallas, Texas 75202-3975
(214) 742-3000 (Telephone)
(214) 760-8994 (Facsimile)

Joe W. Hayes
Texas Bar No. 09277300
**TEMPLETON, SMITHEE, HAYES, HEINRICH &
RUSSELL, L.L.P.**
320 South Polk, Suite 1000
Amarillo, Texas 79101
(806) 324-0324 (Telephone)
(806) 379-8568 (Facsimile)

Britton D. Monts
Texas Bar No. 14303900
Leslie D. Ware
Texas Bar No. 00785179
Brent N. Bumgardner
Texas Bar No. 00795272
Donald Puckett
Texas Bar No. 24013358
MONTS & WARE, L.L.P.
1701 North Market Street, Suite 330
Dallas, Texas 75202-2088
(214) 744-5000 (Telephone)
(214) 744-5013 (Facsimile)

**COUNSEL FOR PLAINTIFF WICHITA FALLS
POWER MANAGEMENT, L.L.C.**

/s/ Kevin Kudlac
Kevin Kudlac, P.C.
WEIL, GOTSHAL & MANGES LLP
8911 Capital of Texas Highway
Building One, Suite 1350
Austin, TX 78759
(512) 349-1885 (Telephone)
(512) 527-0798 (Facsimile)

**COUNSEL FOR DEFENDANT MICROSOFT
CORPORATION**